

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/699,749
Applicant: Loren D. Mock
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Examiner: Blair M. Johnson

Confirmation No. 4254

Attorney Docket No.: A10019 1010.1 (24.9)
Customer No.: 30166

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF TOM DONAHUE UNDER 37 CFR 1.132

1. My name is Tom Donahue and I am employed as General Manager for Allied Doors Inc. (the "Company"). The Company is in the business of selling and installing residential garage doors. My responsibilities include daily operations, purchasing, and personnel. I have worked in the building products and home improvement industry for 25 years.

2. Amarr Garage Doors ("Amarr") has been a supplier to the Company since at least 1993.

3. I am familiar with the steel carriage house ("SCH") doors supplied to the Company by Amarr. The Company sells Amarr's SCH doors under the CLASSICA brand. I also am familiar with the various types of residential garage doors that are generally available in the industry, including steel doors, wooden doors, and doors having separate facades mounted on their exterior faces.

4. Since 2003, the Company has purchased over \$500,000.00 of Amarr's SCH doors for resale to the Company's customers. The Company opted to purchase Amarr's SCH doors in favor of previously known types of metal overhead garage doors because the Amarr's SCH doors combined all of the benefits of metal overhead garage doors (including durability, affordability,

ease of use, overhead stowage, etc.) with the attractive simulated appearance of traditional wooden carriage house doors. Such traditional carriage house doors typically included two or more vertically-hinged, swinging wooden door panels.

5. The Company prefers the Amarr SCH doors over other commercially available residential metal overhead garage doors, because the Amarr doors incorporate several features which give them a superior simulated appearance of traditional carriage house doors. These features include, but are not limited to:

- a. visually apparent vertical grooves in the face of each door section that align with each other when the SCH door is closed, thus providing the visual appearance of a vertical separation or gap between adjacent swinging door panels when the doors are closed;
- b. bilateral symmetry of the embossed patterns in each door section on either side of the aforementioned vertical grooves, whereby the combination of the embossed patterns of the multiple door sections also are bilaterally symmetric about the aligned vertical grooves of the door sections when the door is closed;
- c. portions of the face of the closed door on either side of the aligned vertical grooves are substantially taller than they are wide, thus simulating a pair of vertically hung swinging doors;
- d. embossed patterns in the door sections that visually simulate doors of entirely wooden construction, including simulated wooden rails, simulated wooden stiles, and simulated inset wooden panels having a plurality of spaced vertical grooves that provide the appearance of a plurality of tongue-and-groove boards assembled together side-by-side;

- e. simulated wooden crossbuck members embossed in at least some of the door panels that align with other simulated wooden crossbuck members embossed in adjacent door panels that combine to provide the simulated appearance of a single continuous wooden crossbuck member;
- f. embossed patterns that simulate inset raised panels that are substantially taller than they are wide, and thus provide the door with a substantially vertical visual emphasis when the door is closed;
- g. three metal door sections rather than four or more (as in previous metal garage doors), thus minimizing the number of horizontal separations in the face of the door when closed, contributing to the visual appearance of continuous vertical door panels, and permitting taller embossed patterns in the taller door sections; and
- h. door panel top and bottom edges formed by the intersection of not more than two intersecting surfaces, thus providing a smooth and continuous transition between adjacent door sections when the door is closed that substantially masks the existence of any vertical separations between adjacent door sections.

6. The Amarr SCH door provides the Company's customers with an affordable alternative to expensive wooden garage doors, and provides our customers a durable and user-friendly door having the classic look of a traditional, wooden carriage house door.

I hereby declare that all statements made herein of my own knowledge are true and that any statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

This is the 4th day of April 2008.

Tom Donahue
(Signature)

Tom Donahue

General Manager

Allied Doors Inc.